

**EXHIBIT A**

DAVID R. KITTAY, ESQ., CHAPTER 11 TRUSTEE  
FOR THE ESTATE OF EAST 44<sup>TH</sup> REALTY, LLC  
c/o Kittay & Gershfeld, P.C.  
100 White Plains Road  
Tarrytown, New York 10591

October 11, 2007

230 East 44<sup>th</sup> Street Associates, LLC  
302 Fifth Avenue, 8<sup>th</sup> Floor  
New York, NY 10001

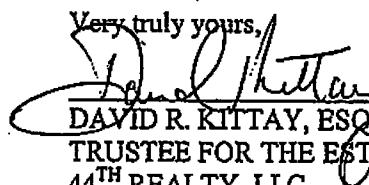
228-238 East 44<sup>th</sup> Street, New York, New York

Ladies and Gentlemen:

Reference is made to the Sale-Purchase Agreement (the "Original Agreement"), dated as of June 4, 2007, between Global Capital Holding LLC ("Global"), as purchaser, and us, as seller, as amended by a letter agreement (the "Amendment"), dated August 17, 2007, between you and us (the Original Agreement as modified by the Amendment is hereinafter referred to as the "Agreement" as such Agreement was assigned by Global to, and assumed by 230 East 44<sup>th</sup> Street Associates, LLC), relating to the referenced property. Capitalized terms used and not otherwise defined herein shall have the respective meanings ascribed thereto in the Agreement.

Pursuant to Section 2 of the Agreement, Seller hereby advises Purchaser to pay the Purchase Price in accordance with the settlement statement attached hereto as Exhibit A.

Very truly yours,

  
\_\_\_\_\_  
DAVID R. KITTAY, ESQ., CHAPTER 11  
TRUSTEE FOR THE ESTATE OF EAST  
44<sup>TH</sup> REALTY, LLC

cc: Cole, Schotz, Meisel, Forman & Leonard, P.A.  
Court Plaza North  
25 Main Street, P. O. Box 800  
Hackensack, NJ 07602-0800  
Attn: John C. Stewart, Esq.

**EXHIBIT A**

**Settlement Statement**

*see attached*

Settlement Statement		
228-238 East 44th Street, New York, New York		
SELLER:	David R. Kittay, Esq., Chapter 11 Trustee for the Estate of East 44th Realty, LLC	
BUYER:	230 East 44th Street Associates, LLC	
CLOSING DATE:	Thursday, October 11, 2007	
	<u>Credits to Seller</u>	<u>Credits to Buyer</u>
PURCHASE PRICE	\$ 18,200,000.00	
DEPOSIT (held by Debtor)		\$ 1,700,000.00
Interest		\$ 10,000.00
PRORATIONS		
Space Rent		\$ 95,457.81
Ground Rent	\$ 40,845.08	
Water/Sewer		\$ 8,469.35
Real Estate Taxes	\$ 410,234.13	
BID Taxes	\$ 11,080.11	
Security Deposits		\$ 313,569.31
Payroll (paid to date of closing)	\$0.00	
Union Payments		\$ 1,996.70
Total	\$ 16,661,959.32	\$ 2,129,493.17
AMOUNT DUE TO SELLER	<u>\$ 14,532,466.15</u>	

**Disbursement Sheet**

228-238 East 44th Street, New York, New York

**SELLER:** David R. Kittay, Esq., Chapter 11 Trustee for the Estate of East 44th Realty, LLC  
**BUYER:** 230 East 44th Street Associates, LLC  
**CLOSING DATE:** Thursday, October 11, 2007

**AMOUNT DUE TO SELLER** \$ 14,532,466.15

**TOTAL DISBURSEMENTS BY INTRACOSTAL TITLE COMPANY** \$ 14,532,466.15

**Mortgage Payoff (includes legal)** New York Community Bank \$ 12,675,517.90 (less new money)  
 ABA# 226071004  
 Borrower's Account #: \_\_\_\_\_  
 Borrower Name: 44th Realty, LLC  
 Reference: Loan Administration Department

**Landlord** Signature Bank \$ 1,700,000.00  
 300 Park Avenue  
 New York, NY 10022  
 Account # 026013576  
 for further credit to  
 East Forty-Fourth Street LLC  
 Attorney Trust Account  
 Account # 1500 223452

**Elevator (to title company)** North Fork \$ 132.00  
 121 Middle Neck Road  
 Great Neck, NY 11021  
 ABA # 021407912

Intracoastal Abstract Co., Inc.  
 Clearing Account  
 A/C # 2844 04137 2

**Closing Balance to Trustee** \$ 156,816.25 - wire transfer  
 Chase Manhattan Bank  
 450 West 33rd St., 8th floor, New York, NY 10001  
 Routing Number: 021000021  
 Account Number: 312-1050984-69  
 rec'd  
 10/12/07

**Total Disbursements** \$ 14,532,466.15

**Paid By Kittay & Gershfeld:**

**Marcus & Millichap** Comerica Bank-California \$ 324,000.00  
 1299 Oakmead Pkwy. Sunnyvale, CA 94086  
 ABA Routing Number: 121137522  
 For Credit to: Marcus & Millichap Real Estate  
 Investment Brokerage Company  
 Account Number: 1890-673203  
 Reference: Escrow number  
 Please call (650) 842-2233 upon receipt

**Repair Escrow** Chase Manhattan Bank \$ 200,000.00  
 450 West 33rd St., 8th floor, New York, NY 10001  
 Routing Number: 021000021  
 Account Number: 312-1050984-68

**Settlement Statement**

228-238 East 44th Street, New York, New York

**SELLER:**

David R. Kittay, Esq., Chapter 11 Trustee for the Estate of East 44th Realty, LLC

**BUYER:**

230 East 44th Street Associates, LLC

**CLOSING DATE:**

Thursday, October 11, 2007

	<u>Credits to Seller</u>	<u>Credits to Buyer</u>
<b>PURCHASE PRICE</b>	\$ 16,200,000.00	
<b>DEPOSIT (held by Kittay &amp; Gershfeld, P.C.)</b>		\$ 1,700,000.00
<b>Interest</b>		\$ 10,000.00
<b>PRORATIONS</b>		
Space Rent		\$ 95,457.81
Ground Rent	\$ 40,645.08	
Water/Sewer		\$ 8,469.35
Real Estate Taxes	\$ 410,234.13	
BID Taxes	\$ 11,080.11	
Security Deposits		\$ 313,569.31
Payroll (paid to date of closing)	\$0.00	
Union Payments		\$ 1,996.70
<b>Total</b>	\$ 16,661,959.32	\$ 2,129,493.17
<b>AMOUNT DUE TO SELLER</b>	<u>\$ 14,532,466.15</u>	



**EXHIBIT B**

10-11-2007 11:39am From-

T-117 P.002/002 F-000



Queens County Savings Bank • CPS Bank • Richmond County Savings Bank • Ironbound Bank  
Raritan Savings Bank • Riverchase Savings Bank • First Savings Bank of New Jersey  
One Jericho Plaza • Jericho NY 11753 • (516) 942-6039 Fax: (516) 942-6835  
www.myNYCB.com

October 11, 2007

East 44 Realty LLC  
C/O Norwax Associates, Inc.  
1046 McLean Avenue  
Yonkers, NY 10704  
Attention: John Feljoo

2<sup>nd</sup> UPDATED LETTER

RE: Mgt. #11-057195-0  
Borrower: East 44 Realty LLC  
Property: 228-38 East 44<sup>th</sup> Street, New York, NY 10017

Dear Mortgagor:

The following statement is the amount due on the above loan that will be satisfied on or about October 11, 2007.

Principal Balance	\$12,112,563.80
Less Escrow Balance - non escrow	(\$0.00)
Interest 10/01/07 through 10/11/07	\$20355.84
NSF Fees	\$30.00
Advances of Legal Fees 5/31/05-7/31/07	\$506,939.31
Legal Fees 8/01/07-8/31/07 billed not yet paid	\$18,489.00
Legal Fees 9/01/07-9/30/07 due not yet billed	\$11,689.95
Legal Fees 10/01/07-10/10/07 due not yet billed	\$5,000.00
Prepayment Premium N/A	\$0.00
Satisfaction Fee (FRK)	\$325.00
Recording Fee (FRK)	\$75.00
Updated Letter(s) @ \$50.00 Each	\$50.00
Total Due	<u>\$12,675,517.90</u>

(Total Legal Fees due \$542,118.26)

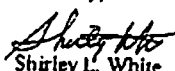
NON-ESCROW ACCOUNT  
Per Diem: \$1,850.5306

On the day of the closing, please call Customer Service at (516) 942-6039 to verify all of the above.

**ALL funds must be wired to New York Community Bank via ABA # 226071004. The wire must indicate the borrowers account number/name and be referenced to the Loan Administration Department. In the event the wired funds are not received by 2:00 pm on the day of closing, additional per diem must be charged until the next business day.**

This letter is for information only, and is not to be construed as a warranty or representation by the bank with respect to any matter therein stated, nor shall it be construed to estop the bank with respect to any matter herein contained.

Sincerely,

  
Shirley L. White  
Second Vice President

SLW:cj

**EXHIBIT C**

# **LOAN SETTLEMENT STATEMENT** **NEW YORK COMMUNITY BANK**

**Mortgage Number:** 11-059518-1

**Date:** October 11, 2007

**To:** 230 East 44th Street Associates, LLC

**Premises:** 230 East 44th Street  
New York, New York 10017

**Mailing Address:** 302 Fifth Avenue, 8th Floor, New York, New York 10001

**Tax Identification:** SECTION 4 : BLOCK 1317 : LOT 30 : COUNTY New York

The expenses and disbursements on this loan, closed today, which were charged to you by the Bank or its counsel or paid for you by the Bank, at your direction are set forth below. Monthly payments on the loan are due on the first day of **December** and on the first day of every month thereafter. Avoid the occurrence of late penalties by prompt payment when due.

LOAN AMOUNT	RATE OF INTEREST	TERMS
\$ 11,000,000.00	5.50%	1 Year Maturity 30 Year Amort
PRINCIPAL & INTEREST	ESCROW	MONTHLY PAYMENTS
\$ 62,456.79	\$0.00	\$62,456.79

EXPENSE, APPORTIONMENTS AND DISBURSEMENTS FOR YOUR ACCOUNT	
Interest from 10/11/07 to 10/31/07	\$35,291.67
Aggregate Escrow	0.00
Appraisal Fee	0.00
Environmental Phase I Report Fee	0.00
Tax Service Fee	1,993.00
Credit Report Fee	300.00
<b>TOTAL FEES RECEIVED PRIOR TO CLOSING</b>	<b>-(1,000.00)</b>
<b>TOTAL ESCROW &amp; FEES DUE TO NEW YORK COMMUNITY BANK</b>	<b>36,584.67</b>
<b>ATTORNEY FEE TO FARBER ROSEN &amp; KAUFMAN, P.C.</b>	<b>\$ 15,000.00</b>

WE ACKNOWLEDGE RECEIPT OF PROCEEDS OF SAID LOAN AND DIRECT THAT THEY BE DISBURSED AS FOLLOWS:

NEW YORK COMMUNITY BANK TO:	CHECK NO.	AMOUNT
NEW YORK COMMUNITY BANK	DEBIT	\$
TOTAL		\$ 11,000,000.00

Dated October 11, 2007

By: Farber Rosen & Kaufman, P.C.

The undersigned hereby acknowledges receipt of a copy of this loan settlement statement, and agrees to the correctness thereof, and authorizes and ratifies the disbursement of the funds and herein stated.

Bank's share of Mortgage Tax: \$0.00

**INTERCOASTAL ABSTRACT**  
Title Company

**230 EAST 44TH STREET ASSOCIATES, LLC**

By: Uri Mermelstein, Managing Member

**Closing Attorney**

Funds Disbursed on October 11, 2007

**EXHIBIT D**

## UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Proskauer Rose LLP  
1585 Broadway  
New York, New York 10036

Att: Ronald D. Sernau, Esq.

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #

2003000324889 Filed: 09/03/03

1b. This FINANCING STATEMENT AMENDMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS.

2. ☒ **TERMINATION:** Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.

3. ☐ **CONTINUATION:** Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.

4. ☐ **ASSIGNMENT (full or partial):** Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.

5. **AMENDMENT (PARTY INFORMATION):** This Amendment affects ☐ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ **CHANGE** name and/or address: Please refer to the detailed instructions in regards to changing the name/address of a party.

☐ **DELETE** name: Give record name to be deleted in item 6a or 6b.

☐ **ADD** name: Complete item 7a or 7b, and also item 7c; also complete items 7e-7g (if applicable).

6. **CURRENT RECORD INFORMATION:**

6a. ORGANIZATION'S NAME

EAST 44 REALTY, LLC

OR

6b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7. **CHANGED (NEW) OR ADDED INFORMATION:**

7a. ORGANIZATION'S NAME

OR

7b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

7d. SEE INSTRUCTIONS

ADD'L INFO RE  
ORGANIZATION  
DEBTOR

7e. TYPE OF ORGANIZATION

7f. JURISDICTION OF ORGANIZATION

7g. ORGANIZATIONAL ID #, if any

☐ NONE

8. **AMENDMENT (COLLATERAL CHANGE):** check only one box.

Describe collateral ☐ deleted or ☐ added, or give entire ☐ restated collateral description, or describe collateral ☐ assigned.

228-238 East 44th Street  
New York, New York

Section: 5 Block: 1317 Lot: 30 County: New York

9. **NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT** (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME

THE ROSLYN SAVINGS BANK

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

10. **OPTIONAL FILER REFERENCE DATA**

## UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Proskauer Rose LLP  
1585 Broadway  
New York, New York 10036

Att: Ronald D. Sernau, Esq.

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #

02PN34347 Filed: 12/23/02

1b. This FINANCING STATEMENT AMENDMENT is  
to be filed (for record) (or recorded) in the  
REAL ESTATE RECORDS.

2. ☒ TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.

3. ☐ CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.

4. ☐ ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 8.

5. AMENDMENT (PARTY INFORMATION): This Amendment affects ☐ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ CHANGE name and/or address: Please refer to the detailed instructions  
in regards to changing the name/address of a party.

☐ DELETE name: Give record name  
to be deleted in item 6a or 6b.

☐ ADD name: Complete item 7a or 7b, and also item 7c;  
also complete items 7e-7g (if applicable).

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME

EAST 44 REALTY, LLC

OR

6b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR

7b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

7c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

7d. SEE INSTRUCTIONS

ADDL INFO RE  
ORGANIZATION  
DEBTOR

7e. TYPE OF ORGANIZATION

7f. JURISDICTION OF ORGANIZATION

7g. ORGANIZATIONAL ID #, if any

☐ NONE

8. AMENDMENT (COLLATERAL CHANGE): check only one box.

Describe collateral: ☐ deleted or ☐ added, or give entire ☐ restated collateral description, or describe collateral ☐ assigned.

228-238 East 44th Street  
New York, New York

Section: 5 Block: 1317 Lot: 30 County: New York

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME

THE ROSLYN SAVINGS BANK

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

10. OPTIONAL FILER REFERENCE DATA



**EXHIBIT E**

**TERMINATION OF COLLATERAL ASSIGNMENT OF RENTS AND LEASES**

The undersigned, New York Community Bank, having an office at One Jericho Plaza, Jericho, New York, is the holder of the following Collateral Assignment of Rents and Leases affecting premises 230 East 44<sup>th</sup> Street, New York, New York. This Collateral Assignment of Rents and Leases was from East 44 Realty LLC to The Roslyn Savings Bank dated December 4, 2002 and recorded February 7, 2003 in CRFN 2003000014200, in the Office of the County Clerk of New York County.

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the undersigned hereby releases and terminates its right, title and interest as assignee of the foregoing Assignment of Rents and Leases and consents that this instrument be recorded in the Office of the County Clerk of New York County to acknowledge of record the termination of such right, title and interest.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on the 11th day of October, 2007.

New York Community Successor to  
The Roslyn Savings Bank

By: Angela R. Neumann  
ANGELA R. NEUMANN,  
Vice President

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF NASSAU )

On the 11th day of October, in the year 2007, before me the undersigned, a Notary Public in and for said state, personally appeared ANGELA R. NEUMANN personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the entity upon behalf of which the persons acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

ALAN L. KAUFMAN  
NOTARY PUBLIC, STATE OF NEW YORK  
NOTARY PUBLIC NO. 41-4843820  
QUALIFIED IN QUEENS COUNTY  
COMMISSION EXPIRES NOVEMBER 7, 2010

**EXHIBIT F**

**SATISFACTION OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS,

that NEW YORK COMMUNITY BANK SUCCESSOR TO THE ROSLYN SAVINGS BANK, located at One Jericho Plaza, Jericho, New York 11753.

DO HEREBY CERTIFY that a certain indenture of Mortgage IS PAID, and do hereby consent that the same be discharged of record.

(a) Mortgage dated the 30<sup>th</sup> day of April 1997, made by CS EAST 44<sup>TH</sup> STREET L.P. to HELLER FINANCIAL INC. in the principal sum of \$6,600,000.00 and recorded in the Office of the County Clerk of New York County, State of New York on June 30, 1997 in Reel 2470 Page 1795.

This mortgage was assigned by an Assignment of Mortgage dated the 19<sup>th</sup> day of September 1998, made by HELLER FINANCIAL INC. to HELLER CAPITAL MANAGEMENT INC. and recorded in the Office of the County Clerk of New York County, State of New York on January 7, 1999 in Reel 2793 Page 1737.

This mortgage was further assigned by an Assignment of Mortgage dated the 10<sup>th</sup> day of November 1998, HELLER CAPITAL MANAGEMENT INC. to LASALLE NATIONAL BANK and recorded in the Office of the County Clerk of New York County, State of New York on March 13, 2000 in Reel 3064 Page 2273.

This mortgage was further assigned by an Assignment of Mortgage dated the 4<sup>th</sup> day of December 2002, made by LASALLE BANK NA F/K/A LASALLA NATIONAL BANK to THE ROSLYN SAVINGS BANK and recorded in the Office of the County Clerk of New York County, State of New York on February 7, 2003 in CRFN 2003000014197.

(b) Mortgage dated the 4<sup>th</sup> day of December 2002, made by EAST 44 REALTY LLC to THE ROSLYN SAVINGS BANK in the principal sum of \$6,402,511.04 and recorded in the Office of the County Clerk of New York County, State of New York on February 7, 2003 in CRFN 2003000014198.

Mortgages (a) and (b) were consolidated, extended and modified by a Consolidation, Extension and Modification Agreement dated the 4<sup>th</sup> day of December 2002, made between EAST 44 REALTY LLC and THE ROSLYN SAVINGS BANK and recorded in the Office of the County Clerk of New York County, State of New York on February 7, 2003 in CRFN 2003000614199 to form a single lien in the principal amount of TWELVE MILLION SIX HUNDRED THOUSAND AND 00/100 (\$12,600,000.00) DOLLARS.

This mortgage has not been further assigned of record.

Dated the 11<sup>th</sup> day of October, 2007

IN PRESENCE OF:

NEW YORK COMMUNITY BANK  
SUCCESSOR TO THE ROSLYN SAVINGS  
BANK

By: Angela R. Neumann  
ANGELA R. NEUMANN,  
VICE PRESIDENT

**LEASEHOLD ESTATE:**

**POLICY INSURES THAT THE LEASE DATED 2/1/61, AS EVIDENCED BY INSTRUMENT RECORDED ON 7/28/61 IN LIBER 5157 CP 462 AND SUBSEQUENTLY MODIFIED BY MODIFICATION RECORDED ON 5/17/62 IN LIBER 5186 CP 266 AND FURTHER MODIFIED BY MODIFICATION RECORDED ON 7/22/93 IN REEL 1991 CP 793, AND FURTHER MODIFIED BY MODIFICATION AGREEMENT RECORDED ON 2/23/01 IN REEL 3243 CP 1142, MADE BY LIMON SUPPLY AND BUILDING CORPORATION AS ASSIEND (LANDLORDS INTEREST) TO ROBERT H. EDER AS TO 25% INTEREST, JOAN H. WATERMAN AS TO 5% INTEREST, ANNA H. EDER AS TO 25% INTEREST AND ANNA H. EDER AND JOAN H. WATERMAN AS TRUSTEES OF THE JOHN EDER TRUST OF 2/28/63 AS TO 20% INTEREST BY ASSIGNED RECORDED IN LIBER 5268 CP 363 ON 2/27/64 AND FURTHER ASSIGNED (LANDLORD INTEREST) TO ROBERT H. EDER AS TRUSTEE UNDER AGREEMENT DATED 10/27/65 RECORDED IN LIBER 5349 CP 70 ON 11/3/65 MADE TO FORTY-FOURTH LEASING CORP. (TENANT) AS ASSIGNED TO GRANT CENTRAL TOWERS ASSOCIATES DATED 5/31/63 RECORDED 6/7/63 IN LIBER 5234 PAGE 476, FURTHER ASSIGNED BY GRAND CENTRAL TOWERS ASSOCIATES TO GRAND CENTRAL TOWERS, INC. BY AGREEMENT DATED 5/1/68 RECORDED 5/7/68 IN RECORD LIBER 302 PAGE 322, FURTHER ASSIGNED BY GRANT CENTRAL TOWERS, INC. TO GRAND CENTRAL TOWERS ASSOCIATES, AN UNDIVIDED 1/2 INTEREST AND ANNA GLICK AND STANLEY BROXMEYER AND UNDIVIDED 1/2 INTERST AS TENANTS IN COMMON BY ASSIGNMENT DATED 5/1/68 RECORDED 5/10/68 IN RECORD LIBER 304 CP 114, AS FURTHER ASSIGNED BY GRANT CENTRAL TOWERS ASSOCIATES, ANNA GLICK AND STANLEY BROXMEYER, AS TENANTS IN COMMON TO GRAND CENTRAL TOWERS INC. BY ASSIGNMENT DATED 5/1/68 RECORDED 6/21/68 IN RECORD LIBER 319 PAGE 1 AND FURTHER ASSIGNED BY GRAND CENTRAL TOWERS INC. TO GRAND**

CENTRAL TOWERS ASSOCIATES, AN UNDIVIDED 1/2 INTERST ANNA GLICK AND STANLEY BROXMEYER, AN UNDIVIDED 1/2 INTEREST AS TENANTS IN COMMON BY ASSIGNMENT DATED 6/25/68 RECORDED 4/23/69 IN REEL 137 PAGE 766 AND FUTHER ASSIGNED BY ANNA GLICK TO JOSEPH GLICK BY ASSIGNMENT DATED 4/30/70 RECORDED 5/4/70 IN REEL 172 PAGE 1042 AND FURTHER ASSIGNED BY SALVATORE L. ODDO, PUBLIC ADMINISTRATOR OF NASSAU COUNTY AS ADMININSTRATOR OF SAMUEL GLICK, ALSO KNOW AS SAMUEL BROXMEYER, DO BONIS NON AND JOSEPH GLICK TO JOSEPH GLASSMAN BY ASSIGNMENT DATED AS OF 9/29/76 RECORDED 10/8/76 IN REEL 381 PAGE 240 AND FURTHER ASSIGNED BY STANLEY C. BRONXMEYER, AS UNDIVIDED 1/4 INTEREST TO ANITA GLASSMAN, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF JOSEPH GLASSMAN, DECEASED BY ASSIGNMENT DATED 4/17/80 RECORDED 4/28/80 IN REEL 521 PAGE 1736 AND FURTHER ASSIGNED BY GRAND CENTRAL TOWERS ASSOCIATES AS TO AN UNDIVIDED 1/2 INTEREST AND ANITA GLASSMAN, INDIVIDUALLY AS TO AN UNDIVIDED 1/8 INTEREST AND ANITA GLASSMAN, AS ADMINISTRATRIX OF THE ESTATE OF JOSEPH GLASSMAN, DECEASED AS TO AN UNDIVIDED 3/8 INTERST AS DEBTORS-IN-POSSESSION PURSUANT TO AN ORDER AUTHORIZING ASSIGNMENT AND ASSUMPTION OF LEASE DATED 5/14/93, UNDER CASE NO. 92-47177 TO VENTURE FUND 44, BY ASSIGNMENT DATED 7/13/93 RECORDED 7/22/93 IN REEL 1991 PAGE 768 AND THEREAFTER ASSIGNED TO C.S. EAST 44TH STREET, L.P. BY ASSIGNMENT DATED 2/10/96 RECORDED 2/23/96 IN REEL 2295 PAGE 919 AND FURTHER ASSIGNED BY C.S. EAST 44TH STREET L.P. TO EAST 44 REALTY LLC BY ASSIGNMENT AND ASSUMPTION OF LEASE DATED 12/4/02 AND RECORDED 1/2/03 IN REEL 3705 CP 230 IS A VALID AND SUBSISTING LEASE UPON THE PREMISES THEREIN DESCRIBED BY THE UNEXPIRED TERM THEREOF AND CAN BE ASSIGNED BY EAST 44 REALTY LLC BY DAVID R. KITTA CHAPTER II TRUSTEE PURSUANT TO COURT ORDER ENTERED 08-09-07. THE OWNER AND HOLDER OF RECORD.



ALL THAT CERTAIN PLOT,PIECE OR PARCEL OF LAND, SITUATE, LYING  
AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND  
STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF EAST 44TH  
STREET, DISTANT 125 FEET WESTERLY FROM THE CORNER FORMED  
BY THE INTERSECTION OF THE SOUTHERLY SIDE OF EAST 44TH  
STREET AND THE WESTERLY SIDE OF SECOND AVENUE;

RUNNING THENCE SOUTHERLY PARALLEL WITH SECOND AVENUE, 100  
FEET 5 INCHES TO THE CENTER LINE OF THE BLOCK;

THENCE WESTERLY ALONG THE CENTER LINE OF THE BLOCK 130 FEET;

THENCE NORTHERLY PARALLEL WITH SECOND AVENUE 100 FEET 5  
INCHES TO THE SOUTHERLY SIDE OF 44TH STREET;

THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF 44TH STREET, 130  
FEET TO THE POINT OR PLACE OF BEGINNING.

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF NASSAU )

On the 11<sup>th</sup> day of October in the year 2007, before me the undersigned, a Notary Public in and for said state, personally appeared ANGELA R. NEUMANN personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacities, and that by her signature on the instrument, the individual, or the person upon behalf of which the person acted, executed the instrument.

  
Notary Public

ALAN L. KAUFMAN  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 41-4943920  
QUALIFIED IN QUEENS COUNTY  
COMMISSION EXPIRES NOVEMBER 7, 20 10

